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EXAMINER

VU, THONG H

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SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

10/618,121

Applicant(s)

WALLACE ET AL.

Examiner

Thong H. Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 and 40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37, 40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/03</u> . | 6) <input type="checkbox"/> Other: _____ |

1. Claims 1-37 and 40 are pending. Claims 38-39 are canceled.
2. This application is a Continuation of Application 09/280,919 filed 3/29/1999.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. A. Claim 4 is rejected under 35 U.S.C. 101 because the disclosed invention is inoperative and therefore lacks utility.

i.e.: "composing the executable script" is not described in the specification.

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- B. Claim 28 is rejected under 35 U.S.C. 101 because the disclosed invention is inoperative and therefore lacks utility.

i.e.: "transmitting the electronic message from the server system to a first client of the two or more clients without the routing logic being sent to the first client" and

"transmitting the electronic message from the server system to a second client of the two or more clients without the routing logic being sent to the second client".

is not described in the specification.

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4. Claims 6,19,33-35 and 37 are rejected under 35 U.S.C. 101 because the disclosed invention is inoperative and therefore lacks utility.

i.e.: a computer readable medium is required to "the routing map comprises a plurality of entries, wherein each of the entries includes a first, second, third data field" (claims 6,19) and program code (claims 33-35,37) which is a programming product.

Claim Rejections - 35 USC § 112

5. Claim 15 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. (i.e.: a first electronic message without a second message. Examiner considered the first message as a message).

6. Claim 19 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. (i.e.: the routing map comprises a plurality of entries, wherein each of the entries includes a first, second , third data field).

7. Claims 1-37 and 40 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. (i.e.: whereby).

As a general matter, the grammar and intended meaning of terms used in a claim will dictate whether the language limits the claim scope. Language that suggests or makes optional but does not require steps to be performed or does not limit a claim to a particular structure does not limit the scope of a claim or claim limitation. The following are examples of language that may raise a question as to the limiting effect of the language in a claim:

- (A) statements of intended use or field of use,
- (B) "adapted to" or "adapted for" clauses,
- (C) "wherein" clauses, or
- (D) "whereby" clauses.

This list of examples is not intended to be exhaustive. See also MPEP § 2111.04. Office personnel must rely on the applicant's disclosure to properly determine the meaning of the claims. Markman v. Westview Instruments, 52 F.3d 967, 980, 34USPQ2d 1321, 1330 (Fed. Cir.) (en banc), aff'd, U.S., 116 S. Ct. 1384 (1996). Claim terms are presumed to have the ordinary and customary meanings attributed to them by those of ordinary skill in the art. Sunrace Roots Enter. Co. v. SRAM Corp., 336 F.3d 1298, 1302, 67 USPQ2d 1438, 1441 (Fed. Cir. 2003); Brookhill-Wilk 1, LLC v. Intuitive Surgical, Inc., 334 F.3d 1294,

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1298, 67 USPQ2d 1132, 1136 (Fed.Cir. 2003) ("In the absence of an express intent to impart a novel meaning to the claim terms, the words are presumed to take on the ordinary and customary meanings attributed to them by those of ordinary skill in the art.") However, an applicant is entitled to be his or her own lexicographer and may rebut the presumption that claim terms are to be given their ordinary and customary meaning by clearly setting forth a definition of the term that is different from its ordinary and customary meaning. See *In re Paulsen*, 30 F.3d 1475, 1480, 31 USPQ2d 1671, 1674 (Fed. Cir. 1994) and *Vitronics Corp. v. Conceptronic Inc.*, 90 F.3d 1576, 1582, 39 USPQ2d 1573, 1576 (Fed. Cir. 1996). Where an explicit definition is provided by the applicant for a term, that definition will control interpretation of the term as it is used in the claim. *Toro Co. v. White Consolidated Industries Inc.*, 199 F.3d 1295, 1301, 53 USPQ2d 1065, 1069 (Fed.Cir. 1999) (meaning of words used in a claim is not construed in a "lexicographic vacuum, but in the context of the specification and drawings."). Any special meaning assigned to a term "must be sufficiently clear in the specification that any departure from common usage would be so understood by a person of experience in the field of the invention." *Multiform Desiccants Inc. v. Medzam Ltd.*, 133 F.3d 1473, 1477, 45 USPQ2d 1429, 1432 (Fed. Cir. 1998). See also MPEP § 2111.01. The subject matter of a properly construed claim is defined by the terms that limit its scope. It is this subject matter that must be examined.

Double Patenting

8. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

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9. Claims 1-37,40 are rejected on the ground of nonstatutory double patenting over claims 1-10 of U. S. Patent No. 6,643,705 B1 ('705) since the claims, if allowed, would improperly extend the "right to exclude" already granted in the patent.

The subject matter claimed in the instant application is fully disclosed in the patent and is covered by the patent since the patent and the application are claiming common subject matter, as follows:

('705) 1. In a server system included in a messaging system, wherein the messaging system further includes a plurality of client systems and wherein the server system has an event service generating events in response to activity of the messaging system, a computer readable medium having computer-executable components comprising:

a plurality of electronic messaging folders, wherein each electronic messaging folder contains a routing map, the routing map having routing logic defining a route by which an electronic message can be sequentially distributed to two or more recipients in series, one after the other in a designated order;

an executable script stored on the server system, wherein the executable script is associated with the routing map and stored separately from the routing map; and

a routing engine configured on a per folder basis, the routing engine being capable of controlling the execution of the routing logic of each routing map in each folder in response to events generated by the event service, whereby the routing logic, when executed, sequentially distributes the electronic message to the two or more recipients in series, one after the other in the designated order.

(Application) 17. In a messaging system including a server system and a plurality of client systems, wherein the server system has an event service providing events in response to activity of the messaging system, a method of defining a route whereby an electronic message is to be sequentially distributed to a plurality of recipients in series, one after the other, the method comprising the steps of:

selecting a sequence of recipients who are to receive the electronic message in series, one after the other in a designated order;

generating a routing map defining a series of operations that, when executed, result in the electronic message being sequentially distributed to the recipients in series, one after the other in the designated order;

associating the routing map with an executable script, wherein the executable script, when executed, performs a first operation of the series of operations defined by the routing map; and

associating the routing map with a routing engine, wherein the routing engine is capable of performing a second operation of the series of operations defined by the routing map.

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10. Claims 1-37,40 are rejected on the ground of nonstatutory double patenting over claims 1-20 of U. S. Patent No. 6,081,802 ('802) since the claims, if allowed, would improperly extend the "right to exclude" already granted in the patent.

The subject matter claimed in the instant application is fully disclosed in the patent and is covered by the patent since the patent and the application are claiming common subject matter, as follows:

('802) 1. In a computer system comprising a display device, a processing unit, a user input device, and a memory comprising a plurality of blocks of memory, each block of memory comprising a plurality of memory locations, the display device operable for displaying a computerized road map (= routing map) comprising a plurality of map elements, a method for retrieving information stored in at least one block of memory associated with at least one map element, comprising the steps of:

- selecting at least one map element in the electronic map using the user input device, wherein each map element is selected from the group (=select a sequence of recipients) consisting essentially from a thoroughfare on the computerized roadmap or an endpoint connected to the thoroughfare on the computerized roadmap;

- retrieving an identification reference associated with the map element in response to selecting the map element (=generating a routing map), the identification reference comprising;

- a block number associated with at least one block of memory location containing the information associated with the map element (=associating the routing map with an executable script), and

- an offset value (=designated order) defining at least one memory location within a memory that contains the information associated with the map element;

- retrieving the block of memory defined by the block number; reconstructing the block of memory in a virtual memory; and retrieving the information associated with the map element from the block of memory location defined by the offset value (=the series of operations defined by the routing map).

(Application) 17. In a messaging system including a server system and a plurality of client systems, wherein the server system has an event service providing events in response to activity of the messaging system, a method of defining a route whereby an electronic message is to be sequentially distributed to a plurality of recipients in series, one after the other, the method comprising the steps of:

- selecting a sequence of recipients who are to receive the electronic message in series, one after the other in a designated order;

- generating a routing map defining a series of operations that, when executed,

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result in the electronic message being sequentially distributed to the recipients in series, one after the other in the designated order;

associating the routing map with an executable script, wherein the executable script, when executed, performs a first operation of the series of operations defined by the routing map; and

associating the routing map with a routing engine, wherein the routing engine is capable of performing a second operation of the series of operations defined by the routing map.

Furthermore, there is no apparent reason why applicant was prevented from presenting claims corresponding to those of the instant application during prosecution of the application which matured into a patent. See *In re Schneller*, 397 F.2d 350, 158 USPQ 210 (CCPA 1968). See also MPEP § 804.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3,5-37, 40 are rejected under 35 U.S.C. 102(e) as being anticipated by Ouchi [6,370,567 B1].

11. As per claim 1, Ouchi discloses In a messaging system, a method of defining a route **whereby** an electronic message is to be sequentially distributed to a plurality of recipients in series, one after the other, the method comprising the steps of:

generating a routing map defining a series of operations that, when executed, result in the electronic message being sequentially distributed to the plurality of recipients in a series specified by the routing map, one after the other in a designated order [Ouchi, a form router manager distributes email using a step-by-step sequence of email addresses, col 5 line 52-col 6 line 59; designated of form, col 16 line 65]; and

associating the routing map (i.e.: a route table) with an executable script, wherein the executable script [Ouchi, a from route workflow system with SQL table route, col 5 lines 53-67],

when executed, performs one (or more) of the serie(s) of operations defined by the routing map [Ouchi, Fig 6, route table, col 5 line 59-col 7 line 20].

12. As per claim 2, Ouchi discloses associating the routing map with a routing engine, wherein the routing engine is capable of performing another of the series of operations defined by the routing map [Ouchi, route manager with folders, col 18 lines 1-13].

13. As per claim 3, Ouchi discloses selecting the plurality of recipients of the electronic message [Ouchi, request status, col 17 lines 17-43].

14. As per claim 5, Ouchi discloses associating the routing map with an executable script further comprises the step of using an existing executable script [Ouchi, a

workflow system with control instructions, col 4 lines 16-26].

15. As per claim 6, Ouchi discloses the routing map comprises a plurality of entries, each representing a state at which a process of routing the message can reside, each of the entries referencing one of the series of operations [Ouchi, entries, col 9 lines 23-35].

16. As per claim 7, Ouchi discloses distributing a first electronic message through the defined route, including:

monitoring the distribution of the first electronic message by advancing the routing map from a first state to a second state, wherein the second state corresponds to one of the series of operations [Ouchi, track email, col 12 lines 47-67; second route, col 13 lines 22-30]; and

in response to the second state, executing the script so as to distribute the first electronic message to a recipient [Ouchi, second route, col 13 lines 22-30].

17. As per claim 8, Ouchi discloses after distributing the first electronic message to a recipient, the step of redefining the route by modifying the executable script without modifying the routing map [Ouchi, create a new route, col 13 lines 1-10].

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18. As per claim 9, Ouchi discloses distributing a second electronic message through the redefined route [Ouchi, redefine the route, col 38 lines 27-32].

19. As per claim 10, Ouchi discloses after distributing the first electronic message to a recipient, the step of redefining the route by modifying the routing map without modifying the executable script [Ouchi, editing and automate the reply function, col 7 lines 21-31].

20. As per claim 11, Ouchi discloses modifying the routing map comprises the steps of dissociating the routing map from the executable script; and associating the routing map with another executable script [Ouchi, editing and automate the reply function, col 7 lines 21-31].

21. As per claim 12, Ouchi discloses distributing a second electronic message through the redefined route [Ouchi, editing and automate the reply function, col 7 lines 21-31].

22. As per claim 13, Ouchi discloses advancing the routing map from a first state to a second state is conducted in response to an event generated by an event service that monitors activity of the messaging system [Ouchi, monitored, col 18 lines 14-24].

23. As per claim 14, Ouchi discloses the messaging system includes a server system, one or more clients, and communication links connecting the server system and the one or more clients, the method further comprising the step of storing the routing map and the executable script at the server system [Ouchi, server, col 21 lines 9-25].

24. As per claim 15, Ouchi discloses distributing a first electronic message through the defined route according to a hub and spoke model, wherein the server system represents the hub and the communication links represent spokes, the step of distributing the first electronic message comprising the steps of:

transmitting the first electronic message from the server system to a first client of the one or more clients without sending the routing map (or the executable script to the first client) [Ouchi, in-box, out-box, col 5 lines 27-50, Fig 3];

receiving at the server system a response from the first client to the electronic message [Ouchi, a route manager workflow server and reply function, col 5 lines 39-50];

transmitting the first electronic message from the server system to a second client of the one or more clients without sending the routing map (or the executable script to the second client) [Ouchi, email transmitted to the next computer in the route, col 5 lines 53-57].

25. As per claim 16, Ouchi discloses evaluating (i.e.: reviewing) the response at the server system by executing the script [Ouchi, review, col 7 lines 1-20; server, col 21

lines 9-25].

26. As per claim 17 Ouchi discloses a messaging system including a server system and a plurality of client systems, wherein the server system has an event service providing events in response to activity of the messaging system, a method of defining a route **whereby** an electronic message is to be sequentially distributed to a plurality of recipients in series, one after the other, the method comprising the steps of:

selecting a sequence of recipients who are to receive the electronic message in series, one after the other in a designated order [Ouchi, sending email in order A, B, C col 15 lines 7-35];

generating a routing map defining a series of operations that, when executed, result in the electronic message being sequentially distributed to the recipients in series, one after the other in the designated order [Ouchi, SQL table route, col 5 line 59- col 6 line 25; designated of form, col 16 line 65];

associating the routing map with an executable script, wherein the executable script, when executed, performs a first operation of the series of operations defined by the routing map [Ouchi, the first form route manager and a list of address, col 34 lines 3-12]; and

associating the routing map with a routing engine, wherein the routing engine is capable of performing a second operation of the series of operations defined by the routing map [Ouchi, second route manager, col 16 lines 21-54; with a list of procedures, col 18 lines 1-14].

27. As per claim 18 Ouchi discloses associating a second electronic message with the routing map to create a second process instance [Ouchi, construct a route, col 10 lines 53-57]; and assigning a routing identifier with the second process instance [Ouchi, document identifier to distinguish routes, col 14 lines 54-67].

28. As per claim 19 Ouchi discloses the routing map comprises a plurality of entries [Ouchi, entries, col 9 lines 23-35], wherein each of the entries includes:

a first data field containing an operation identifier that uniquely identifies the particular entry; a second data field containing data representing one of the series of operations; and a third data field containing an argument, wherein if said one of the series of operations is to be performed by the executable script, the argument is passed to the executable script when the routing map is executed; and if said one of the series of operations is to be performed by the routing engine, the argument is passed to the routing engine when the routing map is executed [Ouchi, control field 69, address field 67, Fig 6; Doc field, indicator field, col 11 lines 54-67].

29. As per claim 20 Ouchi discloses In a server included in a messaging system, wherein the messaging system further includes a plurality of clients and wherein the server has an event service providing events in response to activity of the messaging system, a method for sequentially distributing an electronic message to two or more recipients in series, one after the other, the method comprising the steps of:

associating the electronic message with a routing map defining routing logic by which the electronic message is to be sequentially distributed to the two or more recipients in series [Ouchi, two or more different routes, col 7 lines 49-67], one after the other in a designated order [Ouchi, next step, col 6 lines 16-25];

in response to a first event provided by the event service [Ouchi, event notification, col 10 line 58],

executing a first script associated with the routing map, so as to transmit the electronic message to a first recipient of the two or more recipients [Ouchi, first form route manager, col 34 lines 3-12]; and

in response to a second event provided by the event service, executing a second script associated with the routing map, so as to transmit the electronic message to a second recipient of the two or more recipients [Ouchi, second route manager, col 16 lines 21-54].

30. As per claim 21 Ouchi discloses the routing logic comprises a series of operations, each operation being associated with an executable script stored on the server system [Ouchi, a form route manager program, col 20 line 36].

31. As per claim 22 Ouchi discloses the step of associating the routing map with an additional electronic message having a unique routing identifier, wherein the additional electronic message is sequentially distributed to the two or more recipients in series,

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one after the other in the designated order [Ouchi, two form route manager workflow system, col 13 lines 11-67].

32. As per claim 23 Ouchi discloses the step of managing a state transition of the routing table using the routing engine [Ouchi, route manager 1 and route manager 2, Fig 17, col 13 lines 22-30; col 15 lines 1-7, Fig 19].

33. As per claim 24 Ouchi discloses In a messaging system including a server system, a method for sequentially distributing an electronic message to a plurality of recipients in series, one after the other in a designated order, comprising the steps of:

at the server system [Ouchi, a route manager workflow server, col 21 line 23], associating routing logic with an electronic message folder [Ouchi, folders of forms, col 22 lines 23-39, wherein each form is represented or associated to a routing logic],

wherein the routing logic defines a designated order by which the electronic message can be sequentially distributed to the recipients in series, one after the other in the designated order [Ouchi, a form router manager distributes email using a step-by-step sequence of email addresses, col 5 line 52-col 6 line 59]; and

in response to the electronic message being placed in the electronic message folder, executing the routing logic [Ouchi, the branch routes depends on the rules, col 14 lines 19-30],

wherein the routing logic sequentially transmits the electronic message to the recipients in series, one after the other in the designated order [Ouchi, sending email in order A, B, C col 15 lines 7-35; designated of form, col 16 line 65].

34. As per claim 25 Ouchi discloses transmitting the electronic message to a first recipient [Ouchi email address A, col 10 line 59-col11 line 25];

receiving at the server system a response to the electronic message from the first recipient [Ouchi, in-box, out-box, col 5l ines 23-37]; and

upon receiving a response from the first recipient at the server system, transmitting the electronic message to a second recipient [Ouchi email address B, col 10 line 59-col11 line 25].

35. As per claim 26 Ouchi discloses the step of associating routing logic with an electronic message folder comprises the step of storing the routing logic at the server system [Ouchi, SQL route table, col 5 line 59-67].

36. As per claim 27 Ouchi discloses the step of placing additional electronic messages in the folder [Ouchi, folders, col 18 line 8], wherein each additional electronic message is sequentially distributed to the plurality of recipients in series, one after the other in the designated order [Ouchi, designated the form, col 16 line 65].

37. As per claim 36 Ouchi discloses the authoring tool comprises program code means for generating the routing map in response to the defined route [Ouchi, SQL route table, col 5 line 59-67].

38. As per claim 28 Ouchi discloses In a messaging system including a server system and two or more clients connected to the server system, a method for sequentially distributing an electronic message to the two or more clients in series, one after the other in a designated order, comprising the steps of:

storing, at the server system, routing logic for distributing the electronic message in series, one after the other in the designated order [Ouchi, a form router manager distributes email using a step-by-step sequence of email addresses, col 5 line 52-col 6 line 59; designated of form, col 16 line 65]; and

distributing the electronic message to the two or more recipients according to the routing logic using a hub and spoke model (or spoke architecture) [Ouchi, Fig 1A-B, the architecture of email workflow system, col 2 lines 50-54],

wherein the server system represents the hub and communication links between the server system [Ouchi, the form route manager workflow servers, col 21 line 23] and the two or more clients represent spokes [Ouchi, PC, terminal, workstation, col 20 line 20], the step of distributing the electronic message comprising the steps of:

transmitting the electronic message from the server system to a first client of the two or more clients without the routing logic being sent to the first client;

receiving at the server system a response from the first client to the

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electronic message [Ouchi, first and second user, col 20 lines 1-21]; and

after receiving the response from the first client, transmitting the electronic message from the server system to a second client of the two or more clients without the routing logic being sent to the second client [Ouchi, next step, next user, col 21 lines 1-8].

39. As per claim 29 Ouchi discloses the associating the electronic message with the routing logic [Ouchi, SQL route table, col 5 line 59-67]; and indicating, by a user of the messaging system, that the electronic message is to be sequentially distributed to the two or more clients in series, one after the other in the designated order [Ouchi, designated the form, col 16 line 65].

40. As per claim 30 Ouchi discloses encoding a first portion of the routing logic in a routing map; and encoding a second portion of the routing logic in a routing script as inherent feature of security system [Ouchi, security system, col 17 line 54].

41. As per claim 31 Ouchi discloses executing the first portion of the routing logic in the routing map [Ouchi, a field on SQL table, col 6 lines 10-25], wherein the first portion instructs the server system to execute the routing script; and in response to the execution of the first portion of the routing logic, executing the routing script [Ouchi, a form route manager program, col 20 line 36].

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42. As per claim 32 Ouchi discloses In a messaging system including a server system, a computer program product for implementing a method for defining a route for sequentially distributing an electronic message to two or more recipients in series, one after the other in a designated order, the computer program product comprising:

a computer-readable medium carrying computer-executable instructions for implementing the method [Ouchi, disk, CD-ROM, col 4 lines 1-15] wherein the computer-executable instructions comprise:

program code means for selecting a sequence of two or more recipients who are to receive the electronic message in series, one after the other in the designated order [Ouchi, a form route manager program, col 20 lines 36];

routing map defining a series of operations that [Ouchi, a from route workflow system with SQL table route, col 5 lines 53-67], when executed, result in the electronic message being sequentially distributed to the two or more recipients in series [Ouchi, a form router manager distributes email using a step-by-step sequence of email addresses, col 5 line 52-col 6 line 59],

one after the other in the designated order [Ouchi, designated of form, col 16 line 65];

an executable script associated with the routing map, wherein the executable script, when executed, performs a first operation of the series of operations [Ouchi, first form route manager, col 34 lines 3-12]; and

a routing engine that is capable of performing a second operation of the series of operations [Ouchi, second route manager, col 16 lines 21-54].

43. As per claim 33 Ouchi discloses program code means for sequentially distributing additional electronic messages in series, one after the other in the designated order [Ouchi, designated of form, col 16 line 65].

44. As per claim 34 Ouchi discloses program code means for managing state transitions of the routing map [Ouchi, a form route manager program, col 20 line 36].

45. As per claim 35 Ouchi discloses an authoring tool for assisting a user of the messaging system in defining the route [Ouchi, the Move history helps or assists the procedure, col 13 lines 1-10].

46. As per claim 37 Ouchi discloses an electronic message folder displayed to a user of the messaging system, wherein an electronic message placed in the folder is associated with the route [Ouchi display folders, col 17 line 56-col 18 line 13].

47. As per claim 40 Ouchi discloses In a server system included in a messaging system, wherein the messaging system has an event service generating events in response to activity of the messaging system, a method for executing script in a stateful manner to accomplish sequential distribution of an electronic message to a plurality of recipients, one after the other in a designated order, comprising the steps of:

storing a routing map at the server system [Oouchi, server with route manager, col 19 lines 40-57],

wherein the routing map defines a series of operations that, when executed, result in the electronic message being sequentially distributed to the plurality of recipients in series [Oouchi SQL route table, col 5 lines 59-67], one after the other in the designated order, each operation being representative of a state and at least some of the operations being implemented in script [Oouchi, designated the form, col 16 lines 57-67];

in response to a first event generated by the event service [Ochi, events occur, col 7 lines 56];

transitioning the routing map to a first state [Oouchi, each workflow email carries its state in the route, col 6 line 67]; and

executing a first script in which a first operation of the series of operations is implemented [Oouchi, first form route manager, col 34 lines 3-12]; and

in response to a second event generated by the event service [Ochi, event notification, col 10 line 58];

transitioning the routing map to a second state [Oouchi, support for two or more routes, col 7line 60]; and

executing a second script in which a second operation of the series of operations is implemented [Oouchi, second route manager, col 16 lines 21-54].

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ouchi [6,370,567 B1] in view of Cutler, Jr. et al [5,572,512].

48. As per claim 4, Ouchi discloses associating the routing map [Ouchi, branch route table, col 10 lines 1-15].

However Ouchi does not explicitly detail "composing the executable script".

Cutler discloses a data routing method for a communication system including creating an updated message and a new routing instruction or script that corresponding to an old routing instruction in the first set or second set [Cutler, col 15 lines 35-40].

Therefore it would have been obvious to an ordinary skill in the art at the time the invention was made to incorporate the method for creating a new routing program or script associated to the routing condition or routing map or old instructions as taught by Cutler into the Ouchi's apparatus in order to utilize the from route workflow manager program.

Doing so would provide an appropriate, sufficient and dynamic routing pattern for a network user to send and receive the message.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner *Thong Vu*, whose telephone number is (571)-272-3333. The examiner can normally be reached on Monday-Thursday from 6:00AM- 3:30PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Failed Lynn*, can be reached at (571) 272-2092. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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